

Exhibit A  
Medical Marijuana  
Work Plan

For reasons stated in the associated Ordinance, the City needs additional time to continue the research and zoning work to determine the appropriate regulatory framework for any new uses that are currently allowed, or may soon be allowed, under Washington law as it relates to Medical Marijuana, or to other legal marijuana use authorized by Initiative 502, in order to properly zone and draft development regulations related to these uses. Therefore, the City is currently pursuing the work program to analyze potential changes to city zoning, business licensing, and other regulations that may be necessary to address changes in State law and the impact of federal law, and bring any such proposed amendments to the North Bend Municipal Code before the City Council for deliberation and consideration. The work plan is now as follows, and may be further revised as circumstances warrant:

- (1) Staff will continue to review relevant land use regulations from other jurisdictions, including but not limited to:
  - State Liquor Control Board proposed and final rules regarding the regulation and licensing of marijuana producers, processors and retailers.
  - City of Seattle – Review land use regulations covering medical cannabis or medical cannabis products.
  - City of Shoreline – Review land use regulations covering collective gardens for the growing and distribution of medical cannabis as a permitted land use.
  - City of Chelan – Review land use regulations permitting collective gardens, as authorized by Washington law and federal law.
  - City of Kent – Review ordinance prohibiting medical marijuana collective gardens in all zones of City and have City Attorney review lawsuit filed against Kent by Cannabis Action Coalition against Kent, King County Superior Court Cause No. 12-2-19726-1.
  - City of Yakima – Review Section 15.01.035 of the Yakima City Code; no use that is illegal under local, state or federal law shall be allowed in any zone of the city; such regulation applies to medical marijuana dispensaries and collective gardens.
  - Pullman – Regulations requiring review by Police Department and Department of Justice approval of land use activity.
- (2) Staff will continue to evaluate the impact of the implementation of Initiative 502 on the City, including research and analysis to recommend additional land use and other regulations needed to address issues raised by the terms of Initiative 502.
- (3) Staff will continue to review relevant reports and opinions produced by other agencies, including but not limited to:
  - Memorandum for Selected United State Attorneys, Subject: Investigations and Prosecutions in States Authorizing the Medical Use of Marijuana, U.S. Department of Justice, Office of the Deputy Attorney General.
  - Memorandum for Selected United State Attorneys, Subject: Guidance Regarding the Ogden Memo in Jurisdictions Seeking to Authorize Marijuana for Medical Use, U.S. Department of Justice, Office of the Deputy Attorney General, 06/29/2011.

- (4) Staff will continue to research state and federal law associated with the regulation of Medical Marijuana and other legal uses of marijuana.
- (5) Staff will finalize the map for the City of North Bend calculating the 1,000 foot setback from sensitive uses such as schools. Federal law prohibits the production, processing, and dispensing of medical cannabis or medical cannabis products, and strict sentencing guidelines enhance the penalties for violations of more than 99 plants or within 1,000 feet of school, and state law strictly enhances the penalties for violations of the Controlled Substances Act for violations within 1,000 feet of a school. Thorough mapping of sensitive uses is necessary prior to consideration of zoning regulations containing setbacks from such uses.
- (6) Staff will continue work with the Planning Commission on the above referenced research to develop a regulatory framework and zoning for all uses related to marijuana and ultimately receive a Planning Commission recommendation to the City Council.